

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
ALEXANDRIA DIVISION**

AMAZON.COM, INC. and AMAZON  
DATA SERVICES, INC.,

Plaintiffs,

v.

WDC HOLDINGS LLC dba NORTHSTAR  
COMMERCIAL PARTNERS; BRIAN  
WATSON; STERLING NCP FF, LLC;  
MANASSAS NCP FF, LLC; NSIPI  
ADMINISTRATIVE MANAGER; NOVA  
WPC LLC; WHITE PEAKS CAPITAL LLC;  
VILLANOVA TRUST; CARLETON  
NELSON; CASEY KIRSCHNER;  
ALLCORE DEVELOPMENT LLC;  
FINBRIT HOLDINGS LLC; CHESHIRE  
VENTURES LLC; JOHN DOES 1-20,

Defendants.

CASE NO. 1:20-CV-484-LO-TCB

**DECLARATION OF TODD W. SHAW IN SUPPORT OF PLAINTIFFS’  
MOTION FOR SUPPLEMENTARY RELIEF PURSUANT TO LOCAL CIVIL RULE  
37(D) AND THE COURT’S 2020 AND 2021 DISCOVERY ORDERS**

I, Todd W. Shaw, hereby declare, under penalty of perjury, as follows:

1. I am over the age of 18 years. I have personal knowledge of the facts set forth below, and if called upon to do so, I could and would competently testify thereto.

2. I am an attorney licensed to practice law in the State of Texas and the District of Columbia. I am an attorney at the law firm of Gibson, Dunn & Crutcher, LLP (“Gibson Dunn”), and counsel for Amazon.com, Inc. and Amazon Data Services, Inc. (collectively “Plaintiffs” or “Amazon”). I make this declaration in support of Plaintiffs’ Motion For Supplementary Relief Pursuant To Local Civil Rule 37(D) And The Court’s

2020 And 2021 Discovery Orders. If called as a witness, I could and would testify to the same as stated herein.

3. Attached hereto as **Exhibit 1** is a true and correct copy of a partial transcript of the hearing on Plaintiffs' Motion For Rule 37 And Civil Contempt Sanctions (Dkt. 283), held by this Court on July 9, 2021.

4. Attached hereto as **Exhibit 2** is a true and correct copy of Defendants' Second Supplemental Answers To Plaintiffs' First Set Of Interrogatories, dated July 19, 2021, and verified by Defendant Brian Watson on behalf of himself and Defendant WDC Holdings LLC.

5. Attached hereto as **Exhibit 3** is a true and correct copy of "EXHIBIT A" to Defendants' Second Supplemental Answers To Plaintiffs' First Set Of Interrogatories (**Exhibit 2**) produced by Defendants WDC Holdings LLC and Brian Watson on July 19, 2021.

6. Attached hereto as **Exhibit 4** is a true and correct copy of a letter from Elizabeth Papez at Gibson Dunn, counsel for Amazon, to Stanley Garnett at Brownstein Hyatt Farber Schreck, counsel for Defendants WDC Holdings LLC and Brian Watson, and copying Patrick Stokes and Claudia Barrett at Gibson Dunn and Amanda Houseal at Brownstein Hyatt, dated July 20, 2021.

7. Attached hereto as **Exhibit 5** is a true and correct copy of a letter from Stanley Garnett at Brownstein to Elizabeth Papez at Gibson Dunn, copying Claudia Barrett, Patrick Stokes and Lora MacDonald at Gibson Dunn, Luke Sullivan, a former Gibson Dunn associate, James Trusty and George Calhoun at Ifrah Law, counsel for Defendants WDC Holdings LLC and Brian Watson, Caleb Hayes-Deats, Jennifer Fischell, and Eric Nitz at

MoloLamken and Carleton Nelson's former counsel, and Justin Cohen and Amanda Houseal at Brownstein, dated July 26, 2021.

8. Attached hereto as **Exhibit 6** is a true and correct copy of Defendants' Third Supplemental Answers To Plaintiffs' First Set Of Interrogatories, dated July 27, 2021, and verified by Defendant Brian Watson on behalf of himself and Defendant WDC Holdings LLC.

9. Attached hereto as **Exhibit 7** is a true and correct copy of an email chain starting on July 28, 2021, and ending on August 5, 2021, among Stanley Garnett, Elizabeth Papez, Claudia Barrett, Patrick Stokes, James Trusty, George Calhoun, Amanda Houseal, Catherine Olguin, David Casazza, and me, with the subject line "Response to your emails."

10. Attached hereto as **Exhibit 8** is a true and correct copy of a letter from Elizabeth Papez at Gibson Dunn to Stanley Garnett at Brownstein, and copying Patrick Stokes and Claudia Barrett at Gibson Dunn and Amanda Houseal at Brownstein, dated July 23, 2021.

11. Attached hereto as **Exhibit 9** is a true and correct copy of an email chain starting and ending on July 26, 2021, among Claudia Barrett, Elizabeth Papez, Patrick Stokes, Lora MacDonald, and Michael Dziuban at Gibson Dunn, Stanley Garnett, Amanda Houseal, and Catherine Olguin at Brownstein, and James Trusty and George Calhoun at Ifrah Law, with the subject line "Northstar's Supplemental Answers to Amazon Interrogatories 2 3 5 6(22895881.4)(22905178.1).pdf."

12. Attached hereto as **Exhibit 10** is a true and correct copy of [REDACTED]

[REDACTED] This document was produced to Amazon by Defendants Brian Watson and WDC Holdings LLC on December 11, 2020, was

marked “Confidential” by them pursuant to the Protective Order in this case, and is Bates numbered WDC0540696–WDC0540729.

13. Attached hereto as **Exhibit 11** is a true and correct copy of the “Operating Agreement Of Mountain Vista NCP, LLC.” This document was produced to Amazon by Defendants Brian Watson and WDC Holdings LLC on November 25, 2020, and is Bates numbered WDC0137221–WDC0137255.

14. Attached hereto as **Exhibit 12** is a true and correct copy of a public version of the answering brief filed on August 10, 2021 by Defendant WDC Holdings, LLC, Defendant NSIPI Administrative Manager, LLC, Northstar Commercial Partners Management, LLC, and Northstar Healthcare Development, LLC in *W.D.C. Holdings LLC v. IPI Partners*, C.A. No. 2020-1026-JTL (Del. Ch.). This answering brief was filed in response to the motion to dismiss filed by IPI Partners LLC, several other IPI entities, two IPI executives including Luke Gilpin (who submitted a declaration in this case, *see* Dkt. 46), and the landlord entities for the transactions at issue in this action, namely, Dulles NCP, LLC, Dulles NCP II, LLC, Manassas NCP, LLC, and Quail Ridge NCP, LLC.

15. Attached hereto as **Exhibit 13** is a true and correct copy of [REDACTED]  
[REDACTED]  
[REDACTED]

The document was produced to Amazon by Defendants Brian Watson and WDC Holdings LLC on February 23, 2021, was marked “Confidential” by them pursuant to the Protective Order in this case, and is Bates numbered WDC0911899.

16. Attached hereto as **Exhibit 14** is a true and correct copy of an email from Stanley Garnett to Elizabeth Papez, copying Patrick Stokes, Claudia Barrett, Jeff Hamlin,

George Calhoun, James Trusty, Catherine Olguin, and Amanda Houseal, dated August 16, 2021, with the subject line “Fwd: Amazon.”

17. Attached hereto as **Exhibit 15** is a true and correct copy of the protective order entered in *Richards v. WDC Holdings LLC*, No. 2019-cv-34472 (Colo. Dist. Ct.) on March 18, 2020.


18. Attached hereto as **Exhibit 16** is a true and correct copy of [REDACTED]

[REDACTED]

[REDACTED] The document was produced to Amazon by Defendants Brian Watson and WDC Holdings LLC on or about July 19, 2021, was marked “Highly Confidential” by them pursuant to the Protective Order in this case, and is Bates numbered WATSON-IMAGE-00000001.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information, and belief.

Executed on August 17, 2021.

  
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Todd W. Shaw